

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO.
	§	
\$34,465.00 U.S. Currency	§	
	§	
Defendant.	§	

**VERIFIED COMPLAINT FOR CIVIL FORFEITURE  
IN REM AND NOTICE TO POTENTIAL CLAIMANTS**

Plaintiff, the United States of America, by and through the United States Attorney, Alamdar S. Hamdani, and the undersigned counsel, Jim McAlister, Assistant United States Attorney, files this action for forfeiture *in rem* against the above-captioned property. The United States respectfully alleges on information and belief as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355. The seized currency is in the Southern District of Texas and is within the jurisdiction of this Court.

2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355, 1391(b) and 1395(a) and (b). Acts and omissions giving rise to forfeiture occurred in the Southern District of Texas.

**PROPERTY SUBJECT TO FORFEITURE**

3. The property is described as follows: \$34,465.00 in U.S. Currency (the “seized currency”), which was seized after a traffic stop on April 24, 2023, from Jose Rodriguez.

4. On or about July 25, 2023, Mr. Rodriguez submitted a claim to the Drug Enforcement Agency (hereinafter DEA”) contesting administrative forfeiture of the seized Currency.

**STATUTORY BASIS FOR FORFEITURE**

5. The seized currency is subject to forfeiture under 21 U.S.C. § 881(a)(6), which provides for the forfeiture of all monies furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of the Controlled Substances Act (21 U.S.C. § 801, *et seq.*), all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violation of the Controlled Substances Act.

6. The seized currency is subject to forfeiture, under 18 U.S.C. § 981(a)(1)(A), which provides for the forfeiture of any property involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 or 1957, money laundering, and all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violations listed in this paragraph.

**FACTUAL BASIS FOR FORFEITURE**

7. On April 24, 2023, law enforcement conducted a traffic stop on a vehicle driven by Tyler Wyre on Interstate 10, near mile marker 822, in the Southern District of Texas. The passenger was identified as Jose Rodriguez.

8. During the law enforcement contact, Mr. Wyre provided false information about their travel. Specifically, he claimed to be returning from a location near Beaumont which was inconsistent with data collected by the electronic license plate readers, which showed the vehicle came from Louisiana. When the passenger, Mr. Rodriguez, was questioned about money or drugs in the vehicle, he claimed to have a bag of cash that he won gambling. Though neither occupant of the vehicle claimed to have drugs, a K-9 unit alerted to the presence of narcotics.

9. Based upon the above facts and others, law enforcement conducted a search of the vehicle, which revealed a small quantity of cocaine and a large quantity of U.S. Currency. Specifically, a white powder was located on the dashboard, which field tested positive for cocaine and a bag of U.S. Currency was in the trunk of the vehicle. The passenger, Mr. Rodriguez, was also found in possession of three cell phones.

10. On April 25, 2023, Mr. Rodriguez was interviewed and he claimed possession of the U.S. Currency. Mr. Rodriguez stated the money was from the sale of automobiles, which is inconsistent with his original claim that the money was gambling proceeds.

11. The U.S. Currency totaled \$34,465.00 and was deposited into an authorized bank account. All the of described property was involved in transactions subject to forfeiture under 18 U.S.C. § 981(a)(1)(A) and Title 21 U.S.C. § 881(a)(6). (See paragraphs 5 and 6).

### **CONCLUSION**

12. Based on the foregoing facts, there is probable cause to believe that the seized currency was involved in money laundering and was intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act, 21 U.S.C. § 801, et. seq., or was proceeds traceable to such an exchange, or was used or intended to be used to facilitate any violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq.

### **NOTICE TO ANY POTENTIAL CLAIMANT**

YOU ARE HEREBY NOTIFIED if you assert an interest in the seized property subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the requirements set forth in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The verified claim must be filed no later than thirty-five (35) days from the date this complaint was sent to you, in accordance with Rule G(4)(b); or, if this Complaint was not sent to you, no later than 60 days after the first day of publication of notice on an official internet government forfeiture site, in accordance with Rule G(5)(a)(ii)(B).

An answer or a motion under Federal Rule of Civil Procedure 12 must be filed no later than twenty-one (21) days after filing the claim. The claim and answer must be filed

with the United States District Clerk for the Southern District of Texas, 515 Rusk Avenue, Houston, Texas, 77002. A copy must be served upon the undersigned Assistant United States Attorney either electronically or at the address provided in this Complaint.

**RELIEF REQUESTED**

The United States will serve notice, along with a copy of the Complaint, on any other persons who reasonably appear to be potential claimants in this matter. The United States seeks a final judgment forfeiting the seized currency to the United States and any other relief to which the United States may be entitled.

Respectfully submitted,

ALMADAR S. HAMDANI  
United States Attorney

/s/ Jim McAlister  
Jim McAlister  
Assistant United States Attorney  
1000 Louisiana, Suite 2300  
Houston, Texas 77002  
Phone: 713-567-9573

**VERIFICATION**

I, Joseph "Mike" Phillips, a Special Agent employed by the Drug Enforcement Administration (DEA) as a Federal Task Force Officer, declare under the penalty of perjury, as provided by 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Civil Forfeiture In Rem and Notice to Potential Claimants, and that the facts stated in paragraphs 7-12 are based upon my personal knowledge, upon information obtained from other law enforcement personnel, or upon information I obtained in the course of my investigation, and they are true and correct to the best of my knowledge and belief.

Executed on the 10 day of October 2023.

A handwritten signature in black ink, appearing to read "J Phillips", written over a horizontal line.

Joseph "Mike" Phillips, Special Agent